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**REMARKS**

Claims 1-16 have been cancelled and claims 17-22 and 29-33 have been withdrawn from the application. Claims 23-28 are amended. Claims 34-53 are presented for examination for the first time.

1. In submitting this response, we have assumed that the Supplemental Amendment mailed October 12, 2005 in the present application was never entered. On or about October 9, 2005, Applicant's undersigned counsel had placed a telephone call to inform the Examiner that a Supplemental Amendment was soon to be filed. The Supplemental Amendment was indeed filed on October 12, 2005. However, the Final Office Action dated October 19, 2005 apparently crossed in the mail with and did not acknowledge the October 12, 2005 Supplemental Amendment.

Several follow-up telephone calls to the Examiner have still not lead to a confirmation that the Supplemental Amendment would be considered. Applicant is now filing a Request for Continued Examination and this Preliminary Amendment.

2. We believe that the new claims are supported by the specification as originally filed. See the general description of the set up of a call and the automatic selection of an advertisement to be played, in connection with paragraphs [0038-0040] and [0050] of the specification.

3. We wish to bring Examiner's attention to several additional facts concerning the inventor's activities which occurred more than one year before the filing date of the present application.

As explained in the enclosed copy of the Declaration of Scott Wolmuth (the original was filed with the October 12, 2005 Supplemental Amendment), the Applicant made a posting on Elance.com requesting help to prepare a business plan. That posting was made in May 2001, more than one year before the filing date of the present application. However, that posting did not mention that advertisement selection was based on an express user interest or that the selection of an advertisement was to be performed automatically.

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Furthermore, the Elance.com posting did not include any detail for how the invention could be implemented, such as by associating codes with advertisement categories to enable an automatic database lookup to be performed. Therefore, we believe the Elance.com posting would not be considered to be an enabling disclosure as required under 35 U.S.C. 102.

4. The Applicant also wishes to make additional observations on the prior art as follows. As was stated in Amendment A filed in the parent application on August 4, 2005, both U.S. Patent No. 5,557,658 issued to Gregorek and U.S. Patent No. 4,850,007 issued to Marino do not select an advertisement based on an express user interest. For example, Gregorek only suggests using the caller's telephone number, time of day, or the date. Hutcheson's U.S. Patent Application 2003/0032409 and Marino also do not base advertisement selection on an expressed user interest.

5. An additional prior art reference, U.S. Patent No. 4,943,995 issued to Daudelin has become known by the Applicant since August 2005. Daudelin does describe a system in which user interest is expressed in the context of a call. However, the call is routed to a human attendant who then selects a prerecorded message for playback. Daudelin thus requires the intervention of an operator and thus does not describe or suggest automatically selecting an advertisement to be played, as now recited in all of the claims.

Neither Daudelin, nor Marino, nor Gregorek suggest or disclose the use of standard industry codes in connection with automatic look-up and/or automatic selection of an advertisement.

Claim 23, as amended, requires the system to automatically select the advertisement to be played back to the caller.

Claims 24-33 depend from claim 23 and are patentable for the same reasons.

New claim 34 recites:

A method comprising  
... examining a request for information ... [and]  
automatically selecting an advertisement categorized within the associated subject matter area.

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Neither Daudelin, Marino or Gregorek provide for such automatic selection of an advertisement.

Claims 35-40 furthermore require that a database be queried to determine the selected advertisement. None of the prior art references suggested this feature.

Claim 41 is even more specific in requiring that a Standard Industry Classification Code (SIC) be associated with the database query.

Claim 45 requires access to a service associated with the automatically selected advertisement.

Claims 48 and 50 require a database parameter to be a subject matter area determined from the request.

Claim 49 requires that an intercept parameter be provided by the database lookup, wherein that parameter determines whether the user will be prompted to request access to a service associated with the advertisement.

Claims 51-53 further require connecting the customer station to a telephone number associated with the original request, after playing the advertisement.

New claims 54-55 use the telephone number associated with the request as a query parameter.

#### Information Disclosure Statement

An Information Disclosure Statement (IDS) is being submitted herewith that is identical to the one filed with the October 12, 2005 Supplemental Amendment. Entry of the IDS is respectfully requested.

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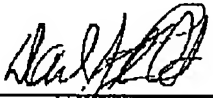
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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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